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Attorney Docket No.: 10211.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Klotz et al.

Confirmation No: 4235

Serial No.: 10/669,757

Group Art Unit: 1652

Filed: September 24, 2003

Examiner: Swope, S.

For: Microbial Trypsin Mutants Having Chymotrypsin Activity And Nucleic Acids Encoding Same

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Mail Stop: Restriction Req.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Response to Restriction Requirement

is being deposited with the United States Postal Service as first class mail in an envelope addressed to the address indicated above on June 24, 2005.

Seleste A. Buriani
(name of person mailing paper)

Seleste A. Buriani
(signature of person mailing paper)



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In re Application of: Klotz et al. Confirmation No: 4235
Serial No.: 10/669,757 Group Art Unit: 1645
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For: Microbial Trypsin Mutants Having Chymotrypsin Activity And Nucleic Acids Encoding Same

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This paper is being filed in response to the Office Action mailed May 25, 2005, that made restriction requirements. Applicants were requested to elect one of three designated groups under 35 U.S.C. § 121:

Group I: 1, 24, 32, 36, 52, 53, 60, 61, and 130, drawn to a trypsin variant, classified in class 435, subclass 212.

Group II: 62-64, 69, 92, 100, 104, 120, 121, 128, 129, drawn to a polynucleotide encoding a trypsin variant, vector, host cell, and method of making the trypsin, classified in class 536, subclass 23.2.

Group III: Claim 68, drawn to a method for obtaining a trypsin variant, classified in class 435, subclass 440.

In response to these requirements, Applicants hereby elect with traverse the invention of Group I. Claims 1, 24, 32, 36, 52, 53, 60, 61, and 130 read on the elected subject matter. Applicants hereby reserve the right to file continuing applications directed to the non-elected subject matter.

For each of Inventions I-III above, restriction to one of the following was also required under 35 USC 121 and 327: (A) Substitution at 144, (B) Substitution at 193, (C) Substitution at 198, (D) Substitution at 201, (E) Substitution at 218, (F) Substitution at 223, (G) Substitution at

227, (H) Substitution at 228, (I) Substitution at 229, (J) Substitution at 230, (K) Substitution at 231, (L) Deletion at 192, (M) Deletion at 197, (N) Deletion at 226, (O) Insertion between 224 and 225, or (P) -(ZZZ...) any one specific combination of (A)-(O).

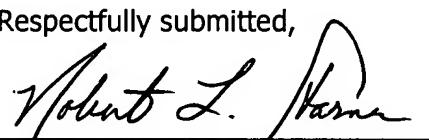
In response to these requirements, Applicants hereby elect with traverse the specific combination as follows:

- (a) a substitution at positions corresponding to positions 144, 193, 198, 201, 218, 223, 227, 228, 229, 230, and 231 of amino acids 25 to 248 of SEQ ID NO: 2;
- (b) a deletion at positions corresponding to positions 192, 197, and 226 of amino acids 25 to 248 of SEQ ID NO: 2; and
- (c) an insertion between positions corresponding to positions 224 and 225 of amino acids 25 to 248 of SEQ ID NO: 2.

The basis for traverse is that there would not be a serious burden on the examiner if restriction were not required between Groups I and II and between groups (A)-(P). Group I relates to a trypsin variant, while Group III relates to a polynucleotide encoding a trypsin variant, vector, host cell, and method of making the trypsin. These two groups are very related because a trypsin variant is necessarily encoded by a polynucleotide. Between groups (A)-(P), the specific combination as elected above with traverse or one or more modifications selected from groups (A)-(O) does not lessen the burden on the Office.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,



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